THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 11505 of 1998

DATED: 06-06-2007

Between:

Janapati Laksmidevi and others

…Petitioners

and

Govt. of Andhra Pradesh, rep. by its
Secretary, Industries and Commerce Dept.,
Hyderabad and others

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 11505 of 1998

Oral order:

By several proceedings dated 24-2-1997, the 3rd respondent, exercising power and jurisdiction under Section 21 (3) of the Andhra Pradesh Cooperative Societies Act, 1964 (for short 'the Act') read with Rule 20(2) of the Andhra Pradesh Cooperative Societies Rules declared the petitioners ineligible for membership of the Saibaba Weavers Cooperative Production and Sale Society Ltd., Proddatur, inter alia, on the ground that during joint verification of the premises of the petitioner by the Looms verification committee constituted for the purpose during 1995, the petitioners had failed to produce their looms for verification by the committee and were thus ineligible for membership of the Society.

Notices have been issued to all the petitioners in proceedings dated 18-11-1996 under Section 21 (3) of the Act calling for objections. The petitioners have submitted their explanation through the President of the Society vide letter dated 7-12-1996, received by the 3rd respondent on 10-12-1996 along with certificates and identity cards issued by the Mandal Revenue Officer, Proddatur. However, since the petitioners were found to be having no looms at the time of verification by the looms verification committee, their objections to the proposal for removal from the membership of the Society were rejected and the impugned orders of removal were passed by the 3rd respondent.

In the writ petition, the principal attack by the petitioners to the impugned orders is that their explanations were not rationally considered and that the certificates and identity cards filed by them along with their explanation/objections were not duly considered by the 3rd respondent while passing the impugned order.

Prima facie, the impugned order reads that the objections received deserve no consideration, as during verification by the looms verification committee, the petitioners were found to be having no looms. The petitioners do not contend that availability and possession of looms is not an essential requisite for continuance in the membership of the Society. The mere fact that the petitioners are residents of the village would not entitle them to membership of the Weavers Cooperative Production and Sale Society, as “Saibaba” is a functional society of Weavers and membership therein entitles such members to several benefits available and intended for the benefit only to weavers. The members should have the qualification of becoming members and for continuing as members.

From the impugned orders, it can be inferred that possession of looms is an essential requisite for continuance in the membership of the Society. On verification, the petitioners are found to have no looms. It is therefore, reasonable to presume that they had ceased to be eligible to be members of the Society.

In the circumstances, the impugned orders do not suffer from any infirmity warranting interference. Though the impugned orders do not elaborately deal with the objections stated to have been submitted by the petitioners, in the context of the fact that the authority passing the order is the Assistant Director of Handlooms and Textiles, a quasi judicial authority, an elaborate order like by a regular Court is not expected. What is expected by such an authority is a concise statement of reasons leading to the conclusions. The impugned order satisfies this requirement and that is sufficient in law.

For the aforesaid reasons, this Court discerns no infirmity in the

impugned order warranting interference. The writ petition is without merits and is accordingly dismissed. No order as to costs.

GODA RAGHURAM, J

06 -06-2007
GRR